

**AN ORDINANCE
BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

AN ORDINANCE TO CREATE THE "APCO HAMILTON BUILDING RENOVATION ENTERPRISE ZONE", LOCATED IN THE CITY OF ATLANTA, LAND LOT 63, PARCEL NUMBER 14-0063-LL-0717; TO PROVIDE NOTIFICATION TO THE TAX COMMISSIONER, SCHOOL SUPERINTENDENT AND THE DEPARTMENT OF COMMUNITY AFFAIRS; AND FOR OTHER PURPOSES.

WHEREAS, an amendment to the Constitution of the State of Georgia was adopted by referendum in November 1982 giving the Council of the City of Atlanta power to create urban enterprise zones in the City of Atlanta; and

WHEREAS, enabling legislation known as the Atlanta/Fulton County Urban Enterprise Zone Act was enacted by the Georgia General Assembly and signed by the Governor in March 1983 and subsequently amended; and

WHEREAS, the Atlanta/Fulton County Urban Zone Act gives the Council of the City of Atlanta the authority to designate areas within the City as urban enterprise zones for housing purposes if certain conditions are met; and

WHEREAS, the designation of a housing enterprise zone exempts the taxable value of property within the zone only from ad valorem taxes for City purposes, but the Board of Commissioners of Fulton County, by appropriate resolution, may exempt from ad valorem taxation for County purposes the taxable value of the same property that is exempted by the City; and

WHEREAS, certain types of property may be exempted, and conditions must be met by owners of private property to qualify for an exemption;

WHEREAS, State law provides that an exemption from ad valorem taxation for City purposes also includes, but is not limited to, school and educational purposes; and

WHEREAS, the City of Atlanta Development Impact Fee Ordinance provides that, under certain conditions, the City may exempt development in urban enterprise zones from the requirement to pay development impact fees; and

WHEREAS, it is the expressed intent of the Atlanta City Council to use urban enterprise zone legislation as an incentive to generate private investment in areas of the City which otherwise might not attract such investments for housing construction and job creation purposes; and

WHEREAS, the conditions and qualifications of the Atlanta/Fulton County Urban Enterprises Zone Act, as amended, have been met relative to the creation of the proposed “APCO Hamilton Building Renovation Enterprises Zone.”

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

SECTION 1: It is found by the Council of the City of Atlanta that the area in and around the property that would be designated as the “APCO Hamilton Building Renovation Enterprises Zone” is economically and socially depressed. It is further found that areas such as this contribute to or cause unemployment, create an inordinate demand for public services and, in general, have a deleterious effect on the public health, safety, welfare, and morals. It is further found that these areas, as is the case with the property that would be designated as the “APCO Hamilton Building Renovation Enterprises Zone”, are characterized by having no investment or under-investment by private enterprise in ventures which produce jobs, trade, provision of services, and economic activities which individually and together contribute to a healthy society. This lack of private investment and activity contributes to social and economic depression in such areas. Therefore, it is in the public interest that incentives be provided to private enterprise to invest in such areas, and that such private enterprise place priority upon the employment of those residents in those economically-and socially-depressed areas designated herein as urban enterprise zones.

SECTION 2: The “APCO Hamilton Building Renovation Enterprises Zone” is hereby created for the subject property, to be located in District 14, City of Atlanta, land lot 63, parcel number 14-0063-LL-0717. The effective date of all exemptions established therein shall be January 1, 2008. The “APCO Hamilton Building Renovation Enterprises Zone” shall be abolished on December 31, 2018. The “APCO Hamilton Building Renovation Enterprises Zone” shall otherwise not be abolished except as provided in State law. A legal description and map of the “APCO Hamilton Building Renovation Enterprises Zone” are attached hereto as Exhibits “A” and “B”, are made a part hereof, and shall be on file in the Bureau of Planning and the Office of the Municipal Clerk.

SECTION 3: The Municipal Clerk is hereby directed to transmit a copy of this Ordinance as well as the legal description of the “APCO Hamilton Building Renovation Enterprises Zone” to the Tax Commissioner of Fulton County, to the Commissioner of the Department of Community Affairs of the State of Georgia, and to the Superintendent of the Atlanta Board of Education immediately upon the approval by the Mayor of the City of Atlanta.

SECTION 4: That all Ordinances and parts of Ordinances that are in conflict herewith are hereby repealed to the extent of the conflict.

Juanita Hicks

Clerk of Superior Court

Fulton County, Georgia

EXHIBIT "A"

Hamilton Building Renovation UEZ

Survey Legal Description

LEGAL DESCRIPTION

3350 HAMILTON BOULEVARD

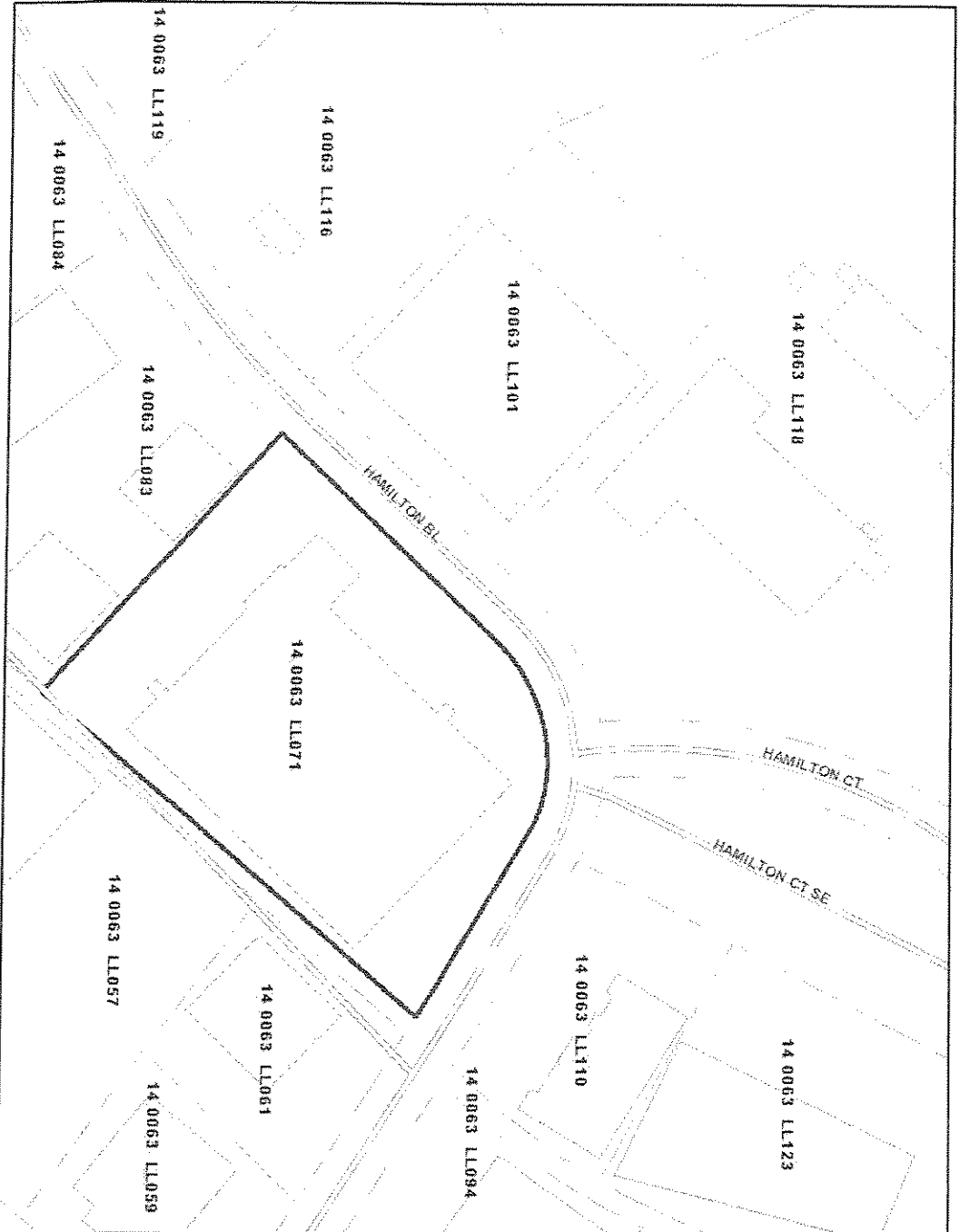
ALL THE LAND LYING AND BEING IN LAND LOT 63, 14TH DISTRICT, CITY OF ATLANTA, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A IRON PIN SET ON THE SOUTHERN SIDE OF A 60 FOOT RIGHT OF WAY OF HAMILTON BOULEVARD AND THE NORTHERN SIDE OF A 20 FOOT RIGHT OF WAY OF A RAIL-WAY, SAID POINT BEING 411.60 FEET FROM THE INTERSECTION OF SAID RIGHT OF WAY OF HAMILTON BOULEVARD AND THE NORTHERN SIDE OF THE RIGHT OF WAY OF BROWNS MILL ROAD; THENCE LEAVING SAID RIGHT OF WAY OF HAMILTON BOULEVARD SOUTH 43 DEGREES 13 MINUTES 17 SECONDS WEST, A DISTANCE OF 532.00 FEET TO A IRON PIN FOUND; THENCE NORTH 46 DEGREES 46 MINUTES 43 SECONDS WEST, A DISTANCE OF 359.20 FEET TO A IRON PIN FOUND ON SAID RIGHT OF WAY OF HAMILTON BOULEVARD; THENCE ALONG SAID RIGHT OF WAY OF HAMILTON BOULEVARD NORTH 43 DEGREES 13 MINUTES 17 SECONDS EAST, A DISTANCE OF 317.40 FEET TO AN IRON PIN SET; THENCE ALONG SAID RIGHT OF WAY OF HAMILTON BOULEVARD ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 174.63 FEET, AN ARC LENGTH OF 240.02 FEET, WITH A CHORD BEARING OF NORTH 82 DEGREES 35 MINUTES 47 SECONDS EAST, WITH A CHORD DISTANCE OF 221.57 FEET TO A POINT; THENCE ALONG SAID RIGHT OF WAY OF HAMILTON BOULEVARD SOUTH 57 DEGREES 59 MINUTES 14 SECONDS EAST, A DISTANCE OF 222.89 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 174,233 SQ. FT., OR 3.999 ACRES OF LAND, MORE OR LESS.

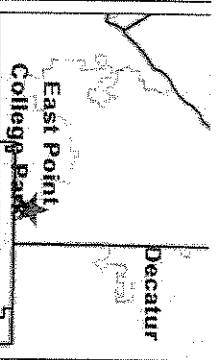
3350 Hamilton Blvd-Exhibit B

Hamilton Building Renovation UEZ

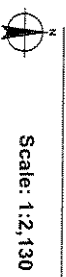


This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Map center: 2229805, 1332396



- Legend**
- Points of Interest
 - Streets and Highways
 - Other Limited Access
 - State Route
 - Arterial Roads
 - Streets
 - Ramps
 - Unknown
 - Interstates
 - ☒ County Boundaries
 - Parcels
 - Building Footprints
 - Streams
 - Parks
 - Greenway Acquisitions
 - Atlanta City Limits
 - Metro Cities



Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Community Development/ Human Resources

Caption: AN ORDINANCE TO CREATE THE "APCO HAMILTON BUILDING RENOVATION ENTERPRISE ZONE", LOCATED IN THE CITY OF ATLANTA, LAND LOT 63, PARCEL NUMBER 14-0063-LL-0717; TO PROVIDE NOTIFICATION TO THE TAX COMMISSIONER, SCHOOL SUPERINTENDENT AND THE DEPARTMENT OF COMMUNITY AFFAIRS; AND FOR OTHER PURPOSES.

Council Meeting Date: June 2, 2008

Requesting Dept.: Department of Planning

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation to create the APCO Hamilton Building Renovation enterprise zone located in NPU Z, District 12 at 3350 Hamilton Boulevard. The project developer is Cobb Hamilton, LLC. The requested time period for the zone is 1-1-08/12/31/18.

2. Please provide background information regarding this legislation.

The Industrial UEZ is consistent with the city's goal of providing a range of entry level jobs for low-moderate city residents. Cobb Hamilton proposes a renovation of 100,000 square feet of commercial space which will employ up to 160 persons. Projected project cost is \$3 million.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** NA

(b) **Source Selection:**

(c) Bids/Proposals Due:

(d) Invitations Issued:

(e) Number of Bids:

(f) Proposals Received:

(g) Bidders/Proponents:

(h) Term of Contract:

4. Fund Account Center (*Ex. Name and number*): NA

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact: This commercial urban enterprise zone would be a \$3 million investment in capital costs and would provide a range of up to 160 jobs.

7. Method of Cost Recovery: City property taxes will be generated after the abatement period.

This Legislative Request Form Was Prepared By: garnett brown

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Garnett Brown

Contact Number: 404-330-6724

Originating Department: Department of Planning

Committee(s) of Purview: Community Development/ Human Resources

Chief of Staff Deadline: May 14, 2008

Anticipated Committee Meeting Date(s): May 27-28, 2008

Anticipated Full Council Date: June 2, 2008

Legislative Counsel's Signature: 

Commissioner Signature: 

Chief Procurement Officer Signature: _____


CAPTION

AN ORDINANCE TO CREATE THE "APCO HAMILTON BUILDING RENOVATION ENTERPRISE ZONE", LOCATED IN THE CITY OF ATLANTA, LAND LOT 63, PARCEL NUMBER 14-0063-LL-0717; TO PROVIDE NOTIFICATION TO THE TAX COMMISSIONER, SCHOOL SUPERINTENDENT AND THE DEPARTMENT OF COMMUNITY AFFAIRS; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any):

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: 5.14.08 DS Reviewed by: 
(date) (date)

Submitted to Council: _____
(date)